

REMARKS

Claims 59-79 stand rejected under 35 USC 112, second paragraph, for being indefinite. Specifically, for the terminology: "interlocking means"; "linking means"; "means of connection"; or "connecting means".

Claims 59, 60, 61, 62, 63, 64, 65, 66, 68, 69, 72, 73, 74, 75, 77, and 79 have been amended to remove the objectionable language. It is believed that the standing 35 USC 112 rejection has now been overcome.

It is well settled in the law and in U.S. Patent Office practice, that an applicant may recite structure in "means plus statement of function" format. The elected species does in fact have "means for selectively engaging the pawl". There is also shown and described "means for biasing the position of the selectively engaging means". There is further shown and described "means for transferring the ... motion of the activator structure to the selectively engaging means". "Pawl biasing means" is shown.

With respect to claim 79, "means for connecting the activator (i.e., handle, button etc) to the keeper-engaging member (i.e., the pawl)" is shown and described. Furthermore, with respect to claim 79 there is shown and described that the gravity-sensitive link is a part that connects means.

It is well settled U.S. Supreme Court law that means plus statement of function language is to be interpreted in light of the specification. In this instance, the lengthy specification and voluminous drawings provide ample support for the means language.

The Examiner's standing, objection which formed the basis for his 35 USC 112 rejection, is understood to have arisen because of an apparent conflict of previous terminology, for example "linking means for transferring" being indefinite as to being "linking means" or "transferring means; and "interlocking means for selectively engaging" being indefinite as to

being "interlocking means" or selectively engaging means". The above-referenced amendments have remove said language.

No rejection was recited against Claim 58, which should be allowable and should now stand as allowed.

Claims 59 - 79 stand as provisionally rejected under 35 USC 101 for double patenting in view of claim 1 of co-pending application 09/975,448, filed October 11, 2001. That co-pending application is now in the applications branch.

Applicant's hereby submit a Terminal Disclaimer with proper fee charged the deposit account, regarding claims 59 - 79. Therefore with the § 101 and 112 rejections overcome, claims 59 - 79 should be allowable.

Claims 41-53 and 55-57 were withdrawn from consideration as being drawn to a separate sub-species. Independent claim 41 has been amended to depend from claim 79. Claims 41-53 and 55-57 should now be allowed as depending from independent claim 79.

The enclosed terminal disclaimer is also directed to claims 41 - 53 and 55 - 57.

It is urged that this application is now ready for allowance and should be passed to issue with claims: 23-36 and 38-40; and 41-53 and 55-57; and 58; and 59-79.

The Examiner is invited to telephone applicant's attorney should any issues remain.

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Respectfully submitted,
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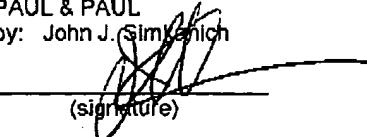
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I hereby certify that this correspondence is being facsimile transmitted to the United States Patent Office.

to Examiner Gary Estremsky, in Art Unit 3677, at Fax number 703-872-9306, on the date identified below.

on Feb 19, 2004
(date)

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